

**United States Government**

**NATIONAL LABOR RELATIONS BOARD**

**Region 26**

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**[www.nlr.gov](http://www.nlr.gov)**

*May 23, 2006*

Mr. Stacy Fox, Secretary-Treasurer  
International Brotherhood of  
Teamsters Local 373  
4314 Phoenix Ave.  
Fort Smith, AR 72903

Re: Schwerman Trucking Co.  
Case 26-RC-8495

Dear Mr. Fox:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been carefully investigated and considered. As a result of the investigation, I find that further proceedings are unwarranted. The investigation disclosed that the above referenced petition was filed by the International Brotherhood of Teamsters, Local 373 March 6, 2006 seeking to represent a unit of truck drivers at the Employer's facility in Ashdown, Arkansas. On March 9, 2006 the Employer advised employees that the Ashdown facility would close by March 31, 2006, and all drivers would be terminated on or before that date. The investigation further revealed that operations at the Ashdown facility were discontinued by March 31, 2006, and no bargaining unit drivers were employed at that facility after March 31, 2006. The announcement of closure and actual closure of the Ashdown facility were alleged as unfair labor practices by the Petitioner in case 26-CA-22406 filed March 10, 2006. No merit was found to those allegations, and they were dismissed on April 20, 2006. No appeal of the dismissal was filed. Inasmuch as the facility at issue has been closed and no bargaining unit employees are employed at that location, it would not effectuate the purposes of the Act to continue processing the petition. Accordingly, I am dismissing the petition in this matter.

Pursuant to the National Labor Relations Board's Rules and Regulations, any party may obtain a review of this action by filing a request therefor with the National Labor Relations Board, Washington, D.C. 20570. A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned. This request for review must contain a complete statement setting forth the facts and reasons on which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board by close of business on *June 6, 2006*. Upon good cause shown, however, the Board may grant special permission for a longer period within which to file. A request for extension of time should be submitted to the Executive Secretary in Washington, and a copy of any such request for extension of time should be submitted to this Office and to each of the other parties to this proceeding.

May 24, 2006

The request for review and any request for extension of time must include a statement that a copy has been served on this Office and on each of the other parties to this proceeding in the same or a faster manner as that utilized in filing the request with the Board.

Very truly yours,

/S/[Ronald K. Hooks]

Ronald K. Hooks  
Regional Director

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